

1 *E-Filed: September 9, 2014*

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NOT FOR CITATION

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IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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SAN JOSE DIVISION

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NGA TUYET NGUYEN,

No. C14-01487 HRL

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Plaintiff,

**ORDER DENYING PLAINTIFF'S
MOTION FOR SUMMARY
JUDGMENT**

v.

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SANTA CLARA, sued herein
as THE MANAGEMENT OF SANTA
CLARA SUPERIOR COURT,

[Re: Docket No. 9]

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Defendant.

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Nga Tuyet Nguyen, proceeding pro se, filed suit against the Superior Court of California, County of Santa Clara (sued as “The Management of Santa Clara Superior Court”) on March 31, 2014. Defendant’s response to the complaint was due by July 28, 2014. On July 9, 2014, before Defendant filed a response, Plaintiff filed a Motion for Summary Judgment. Dkt. No. 9.

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Summary judgment should only be sought “after adequate time for discovery.” *Celotex Corp. v. Catrett*, 477 U.S. 317, 322 (1986). No discovery as taken place in this action. Plaintiff’s Motion for Summary Judgment is premature, and therefore is denied. Plaintiff may re-file a motion for summary judgment once discovery has been conducted. Any motion that Plaintiff chooses to

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1 file must comply with the case schedule that will be set at the upcoming October 28, 2014 Case
2 Management Conference.

3 **IT IS SO ORDERED.**

4 Dated: September 9, 2014



5 HOWARD R. LLOYD
6 UNITED STATES MAGISTRATE JUDGE

1 **C14-01487 HRL Notice will be electronically mailed to:**

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4 **C14-01487 HRL Notice will be mailed to:**

5 Nga Tuyet Nguyen
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7 **Counsel are responsible for distributing copies of this document to co-counsel who have not
8 registered for e-filing under the court's CM/ECF program.**